

1980/190

THE CUSTOMS REGULATIONS 1968, AMENDMENT NO. 15

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 8th day of September 1980

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Customs Act 1966, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Fees for officers' time outside working hours 3. Notice of delivery for home consumption 4. Ships' stores for ships not going to countries outside New Zealand | <ol style="list-style-type: none"> 5. Goods which may be entered into warehouse 6. Receipt for goods deposited in a warehouse 7. Clearance of warehoused goods 8. Customs agent's licence (General) 9. Licence fee 10. Customs carriers 11. New Second Schedule Schedule |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Customs Regulations 1968, Amendment No. 15, and shall be read together with and deemed part of the Customs Regulations 1968* (hereinafter referred to as the principal regulations).

(2) Subject to subclauses (3) and (4) of this regulation, these regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

(3) Regulation 2 of these regulations shall come into force on the 22nd day of September 1980.

(4) Regulations 9, 10, and 11 of these regulations shall come into force on the 5th day of January 1981.

*Reprinted with Amendments Nos. 1 to 9: S.R. 1975/284

Amendment No. 10: S.R. 1976/331
 Amendment No. 11: S.R. 1977/69
 Amendment No. 12: S.R. 1977/146
 Amendment No. 13: S.R. 1978/278
 Amendment No. 14: S.R. 1979/97

2. Fees for officers' time outside working hours—(1) Regulation 14 of the principal regulations (as amended by regulation 3 (1) of the Customs Regulations 1968, Amendment No. 11 and further amended by regulation 3 (1) of the Customs Regulations 1968, Amendment No. 14) is hereby further amended—

- (a) By omitting from subclause (1) (a) the expression “\$9.00” and substituting the expression “\$11.00”;
- (b) By omitting from subclause (1) (b) the expression “\$8.00” and substituting the expression “\$10.00”;
- (c) By omitting from subclause (2) the expression “\$27.00” and substituting the expression “\$33.00”.

(2) The Customs Regulations 1968, Amendment No. 14, are hereby consequentially amended by revoking regulation 3.

3. Notice of delivery for home consumption—Regulation 16 (1) (a) of the principal regulations is hereby amended by omitting the expression “26A”, and substituting the expression “26B”.

4. Ships' stores for ships not going to countries outside New Zealand—Regulation 46 of the principal regulations is hereby amended by adding the following paragraph:

- “(d) Fishing vessels, as may be approved by the Comptroller, being foreign fishing craft within the meaning of the Territorial Sea and Exclusive Economic Zone Act 1977.”

5. Goods which may be entered into warehouse—(1) The principal regulations are hereby amended by revoking regulation 52A (as inserted by regulation 6 of the Customs Regulations 1968, Amendment No. 13), and substituting the following regulation:

“52A. Pursuant to section 80 (1) (a) of the Act the following goods may be entered into a warehouse licensed under the Act:

- “(a) Goods which are to be exported and which are subject to temporary importation or drawback procedures; or
- “(b) Imported goods on which sales tax has been levied pursuant to section 12 (1) (a) of the Sales Tax Act 1974.”

(2) The Customs Regulations 1968, Amendment No. 13, are hereby consequentially amended by revoking regulation 6.

6. Receipt for goods deposited in a warehouse—Regulation 54 of the principal regulations is hereby amended by omitting the expression “14A”, and substituting the expression “14B”.

7. Clearance of warehoused goods—Regulation 58 of the principal regulations is hereby amended by inserting, after the word “shall”, the words “, unless otherwise permitted by the Comptroller to be in such other form as may be prescribed,”.

8. Customs agent's licence (General)—Regulation 133A of the principal regulations is hereby amended by inserting, before the word “employment” wherever it occurs, in each case the word “full-time”.

9. Licence fee—Regulation 135 (1) of the principal regulations (as substituted by regulation 6 of the Customs Regulations 1968, Amendment No. 11) is hereby amended—

- (a) By omitting from paragraph (a) the expression “\$50”, and substituting the expression “\$70”:
 (b) By omitting from paragraph (b) the expression “\$10”, and substituting the expression “\$12”.

10. Customs carriers—Regulation 136 (2) of the principal regulations (as substituted by regulation 7 of the Customs Regulations 1968, Amendment No. 11) is hereby amended—

- (a) By omitting from paragraph (a) the expression “\$50”, and substituting the expression “\$70”:
 (b) By omitting from paragraph (b) the expression “\$10”, and substituting the expression “\$12”.

11. New Second Schedule—(1) The principal regulations are hereby further amended by revoking the Second Schedule (as substituted by regulation 6 of the Customs Regulations 1968, Amendment No. 14), and substituting the new Second Schedule set out in the Schedule to these regulations.

(2) The Customs Regulations 1968, Amendment No. 14, are hereby consequentially amended by revoking regulation 6.

SCHEDULE

Reg. 11

NEW SECOND SCHEDULE TO CUSTOMS REGULATIONS 1968

“SECOND SCHEDULE

Reg. 51

SCALES OF ANNUAL FEES FOR WAREHOUSES

Part I

Scale of fees for warehouses licensed for the warehousing of liquids other than ethyl alcohol, neutral spirit, or any other potable spirit.

Capacity of Warehouse	Annual Fee
Less than 240 000 litres	\$ 156
Not less than 240 000 litres and less than 600 000 litres	260
Not less than 600 000 litres and less than 1 200 000 litres	520
Not less than 1 200 000 litres and less than 1 800 000 litres	780
Not less than 1 800 000 litres and less than 2 400 000 litres	1,040
Not less than 2 400 000 litres	1,300

SECOND SCHEDULE—*continued**Part II*

Scale of fees for warehouses licensed as tobacco-manufacturing warehouses.

	Annual Fee
Where the total quantity of tobacco, cigars, cigarettes, and snuff manufactured—	
Does not exceed 23 000 kg	\$520
Exceeds 23 000 kg but does not exceed 46 000 kg	\$780
Exceeds 46 000 kg but does not exceed 920 000 kg	\$780 plus \$208 for each 46 000 kg in excess of 46 000 kg
Exceeds 920 000 kg but does not exceed 2 300 000 kg	\$4,732 plus \$104 for each 46 000 kg in excess of 920 000 kg
Exceeds 2 300 000 kg	\$7,852 plus \$52 for each 46 000 kg in excess of 2 300 000 kg

Provided that—

- (a) Where the total quantity of manufactured tobacco produced during any year is found to be greater than that for which the fee was computed, the licensee shall be liable for the proper fee for such greater quantity:
- (b) Where the total quantity of manufactured tobacco produced during any year is found to be less than that for which the fee was computed, the Collector may refund the difference between the fee paid for that year and the fee that would have been payable if calculated on the basis of the total quantity of manufactured tobacco actually produced during the year.

Part III

Scale of fees for warehouses not subject to the fees set out in Parts I and II of this Schedule.

Cubic Content of Warehouse	Annual Fee
Less than 600 m ³	\$ 650
Not less than 600 m ³ and less than 1200 m ³	1,300
Not less than 1200 m ³ and less than 1800 m ³	1,950
Not less than 1800 m ³ and less than 2400 m ³	2,600
Not less than 2400 m ³	3,250".

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

Regulation 2 increases the rates of fees for officers' time outside working hours.

Regulations 3 and 6 make minor amendments as to the numbering of prescribed forms, and regulation 7 allows the Comptroller to prescribe alternative forms for clearance of warehouse entries.

Regulation 4 allows certain approved fishing vessels to carry duty free stores.

Regulation 5 provides for the entering into licensed warehouses of goods that are subject to temporary importation or drawback procedures imposed by the Customs Acts, and imported goods that have had sales tax levied on them.

Regulation 8 ensures that a Customs agent's licence (General) will only be granted to a company which has and maintains in full-time employment a person holding a Customs agent's licence (Individual).

Regulations 9 and 10 increase the Customs agent's and the Customs carrier's licence fee from \$50 to \$70 on first issue, and the annual licence fee of each from \$10 to \$12.

Regulation 11 sets out a new Second Schedule to the principal regulations increasing all licensed warehouse fees by 24 percent.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 11 September 1980.

These regulations are administered in the Customs Department.